REMARKS

INTRODUCTION

In accordance with the foregoing, no claims have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-16 are pending in the application.

REJECTION UNDER 102

Claims 1, 2, 4, 8, 9 and 11-16 were rejected under 35 U.S.C. § 102(b) as being anticipated by Nonaka et al. (5,471,441) (hereinafter "Nonaka").

Nonaka discloses a CD player capable of playing back a partially recorded CD. The process of the disk-end updating means includes, first, determining if the disk to be played back is a partially recorded disk (PRD) (step S41). When it is not a PRD, the flow advances to step S44 to perform the same processing as done conventionally. If the disk is a PRD, the system controller 7 obtains the sub code of the information currently being read, via the decoder unit 6, compares the track number indicated by this sub code with the LTNO in the stored sub code that has been set as that of the last piece of information, and determines if the former track number is equal to or larger than the number of the last piece of music (LTNO) (step S42). When it is not larger than the LTNO, the system controller goes to step S44. If the former track number is equal to or larger than the LTNO, the system controller 7 replaces the stored sub code with the current sub code, and updates and stores the number of the last piece of music (LTNO) and the largest absolute time (step S43). Then, the system controller 7 compares the current sub code with the previous as done conventionally (step S44). When both match with each other, the system controller 7 repeats a sequence of processes starting from step S41; and when the codes do not match with each other, the system controller 7 stores the current sub code in the memory area where the previous sub code is stored (step S45). Next, it is determined if the pickup has reached the lead-out area (step S46). When the lead-out area has been reached in the case of a read only disk, the system controller 7 judges it as the disk-end and proceeds to the next process. When the pickup has not reached the lead-out area, the current track number is compared with the LTNO (step S47). When current track number is equal to of smaller than the LTNO, the system controller 7 returns to step S41 and repeats the described process. If the

6

current track number is larger, the system controller 7 judges it as the disk-end and goes to the subsequent process. Nonaka, column 15, lines 20-53, Figure 13.

Claims 1, 2, 4, 8, 9 and 11

Claim 1 recites: "...transmitting the set sub-code data to the host computer when the sub-code data is requested from the host computer during the reproduction mode." In contrast to claim 1, Nonaka does not disclose transmitting the set sub-code data to a host computer. Nonaka discusses a CD player capable of playing back a partially recorded CD, not transmitting sub code data to a host computer.

Claims 2, 4, 8, 9 and 11 are dependent on claim 1 and are therefore believed to be allowable for the reasons discussed above.

Withdrawal of the foregoing rejection is requested.

Claim 12

Claim 12 recites: "...transmitting the current item of the set sub-code data to the host computer in response to the buffer being full and a request from the host computer for the sub-code data." In contrast to claim 12, Nonaka does not disclose transmitting the current item of the set sub-code data to the host computer. Nonaka discusses a CD player capable of playing back a partially recorded CD, not transmitting sub code data to a host computer.

Withdrawal of the foregoing rejection is requested.

Claim 13

Claim 13 recites: "...transmitting the current item of the set sub-code data to the host computer in response to a request from the host computer for the sub-code data." In contrast to claim 13, Nonaka does not disclose transmitting the current item of the set sub-code data to the host computer. Nonaka discusses a CD player capable of playing back a partially recorded CD, not transmitting sub code data to a host computer.

Withdrawal of the foregoing rejection is requested.

Claims 14 and 15

Claims 14 and 15 recite: "...transmitting the set sub-code data to the host computer when the sub-code data is requested by the host computer during a reproduction mode." In contrast to claims 14 and 15, Nonaka does not disclose transmitting the set sub-code data to the host computer. Nonaka discusses a CD player capable of playing back a partially recorded CD, not transmitting sub code data to a host computer.

Withdrawal of the foregoing rejection is requested.

Claim 16

Claim 16 recites: "...transmitting the set virtual sub-code data to the host computer when the virtual sub-code data is requested from the host computer during the reproduction mode." In contrast to claim 16, Nonaka does not disclose transmitting the set virtual sub-code data to the host computer. Nonaka discusses a CD player capable of playing back a partially recorded CD, not transmitting set virtual sub code data to a host computer.

Withdrawal of the foregoing rejection is requested.

REJECTION UNDER 103

Claims 3, 5-7 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nonaka.

Claims 3, 5-7 and 10 are dependent on claim 1 and are therefore believed to be allowable for the reasons discussed above. Further, claims 3, 5-7 and 10 recite features that patentably distinguish over Nonaka. For example, claim 3 recites that the setting of the sub-code data comprises setting the sub-code data whenever the data of one sector unit is output from the buffer.
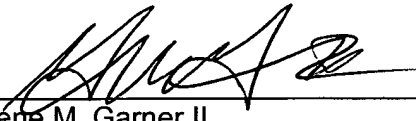
CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,
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